

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

In re GE ERISA LITIGATION

Master File No. 1:17-cv-12123-IT

CLASS ACTION

**STIPULATION AND [PROPOSED] ORDER**  
**PURSUANT TO FEDERAL RULE OF EVIDENCE 502(d) CONCERNING**  
**DEFENDANTS' PRODUCTION OF CERTAIN DOCUMENTS**

WHEREAS, the parties to this action have engaged in motion practice as to certain documents withheld by Defendants from production on claims of attorney-client privilege, work product immunity, and/or other applicable privilege or immunity and identified in Plaintiffs' Motion To Compel Documents Improperly Withheld As Attorney-Client Privileged, March 2, 2021, ECF No. 203 ("Motion" directed to the "Withheld Documents");

WHEREAS, on January 26, 2022, the Court entered a Memorandum & Order ("Order") granting in part the Motion;

WHEREAS, the parties seek to facilitate the production of Withheld Documents by Defendants to Plaintiffs without the risk that doing so would prejudice Defendants in this or other proceedings as to other claims of privilege or immunity that it has or could make;

WHEREAS, pursuant to Federal Rule of Evidence 502(d), the parties, through their undersigned counsel, hereby stipulate and agree, subject to the approval of the Court, that:

The production of Withheld Documents pursuant to the Order and this Stipulation shall in no way prejudice or otherwise constitute a waiver of any claim of attorney-client, work product, or

other applicable privilege or immunity as to the subject matter contained in the Withheld Documents or as to other documents or information that concern the subject matter contained in the Withheld Documents in this or any other proceeding. This Order shall be interpreted as coterminous with the relief allowed by Federal Rule of Evidence 502(d).

SO ORDERED.

DATED: 2/10/2022

  
Indira Talwani  
United States District Judge

Dated: February 9, 2022

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